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SUBJECT: Human Rights Defender Norma Cruz Softens Rhetoric on  
Controversial Adoption Case

REF: REF: A) GUATMEMALA 824 B) GUATEMALA 262

¶1. (SBU) SUMMARY: In an Oct 1 meeting with Ambassador McFarland, prominent human rights defender Norma Cruz reiterated her claim that three children adopted by U.S. couples had been stolen in 2006 from their Guatemalan birth mothers. Cruz pressed the United States to cooperate with the Guatemalan Attorney General on the cases, but at the same time noted that the women claiming to be the birth mothers have accepted the strong likelihood that the girls will remain with their adopted parents even if possible DNA tests eventually corroborate their claims. The Ambassador assured Cruz that the United States is treating the accusations made by the women very seriously, and would live up to commitments it has signed in the Mutual Legal Assistance Treaty (MLAT) agreement with Guatemala. Post requests that Department provide update on MLAT request End Summary.

¶2. (SBU) Norma Cruz is the founder and director of Fundacion Sobrevivientes, a well-known Guatemalan nonprofit dedicated to supporting women who have been victims of violence and murder. Her headline-grabbing ten-day hunger strike in July was instrumental in drawing national attention to the adoption controversy and in persuading the Guatemalan judiciary to review the three cases (REF A).

¶3. (SBU) Cruz told the Ambassador that she had asked for a meeting in order to establish a direct dialogue with him on the adoption controversy. The three girls - Heidy Sarahi Batz Par, Arlene Escarleth Lopez Lopez, and Anyeli Liseth Hernandez Rodriguez - she insisted, had been stolen from their birth mothers in 2006. DNA proof already in the possession of her foundation supposedly linked Anyeli Liseth to the birth mother. The mothers had suffered tremendously in the nearly three years since their children had been kidnapped.

¶4. (SBU) Cruz acknowledged that the Ambassador had a duty to protect the rights of U.S. citizens, but complained that the U.S. government, as well as the adoptive parents, had so far failed to cooperate on the matter. "We cannot act as accomplices to this," she argued, adding that Americans would not support children being stolen from their mothers.

¶5. (SBU) The Ambassador responded that the United States is taking the three cases very seriously and would live up to all of the legal commitments we have made with the GoG through the MLAT. The United States, he added, wants to be totally transparent in dealing with these cases but at the same time all parties need to respect the legal process. At this point, he stressed, we are dealing with accusations, not proven fact.

¶6. (SBU) Twice in the conversation Cruz noted, without any questioning on our part, that the birth mothers understood that their children would not leave their adoptive families; what the birth mothers seek is that their daughters know that they were not abandoned by their birth mothers. The Ambassador took note of these statements but did not explore further.

¶7. (SBU) Comment: The Ambassador adopted a listening mode in the meeting given the legal sensitivities of this issue and the fact that the cases are already being handled by the DOJ through MLAT channels. While clearly committed to this issue, Cruz was calm and professional in her comments. Somewhat surprising were her statements that three women have accepted the likelihood that the girls will remain with their adopted parents regardless of what possible DNA tests may eventually reveal. This is a departure from her public statements, and raises questions about what exactly the three women really want.

¶8. (SBU) Action requested: Please advise post on status of the MLAT cases.  
McFarland